

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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AARON LANIADO,

Civil Action No.:

Plaintiff,

-against-

GC SERVICES LIMITED PARTNERSHIP,

COMPLAINT

DEMAND FOR JURY TRIAL

Defendant.
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Plaintiff AARON LANIADO ("Plaintiff"), by and through his attorneys, The Law Office of Alan J. Sasson, P.C., as and for his Complaint against the Defendant GC SERVICES LIMITED PARTNERSHIP, hereinafter referred to as "Defendant", respectfully sets forth, complains and alleges, upon information and belief, the following:

INTRODUCTION/PRELIMINARY STATEMENT

1. Plaintiff brings this action on his own behalf for damages and declaratory and injunctive relief arising from the Defendant's violations of §1692 et seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collections Practices Act ("FDCPA").

PARTIES

2. Plaintiff is a resident of the State of New Jersey, residing at 27 Elinore Avenue, Long Branch, New Jersey 07740.

3. Defendant is a foreign limited partnership engaging in the business of debt collecting, with its principal place of business located at 6330 Gulfton, Houston, Texas 77081.

4. Plaintiff is a "consumer" as defined by the FDCPA, 15 USC §1692 a (3).

5. Defendant is a "debt collector" as the phrase is defined and used in the FDCPA under 15 U.S.C. §1692a(6).

JURISDICTION AND VENUE

6. The Court has jurisdiction over this matter pursuant to 28 USC §1331, as well as 15 USC §1692 *et seq.* and 28 U.S.C. §2201. If applicable, the Court also has pendent jurisdiction over the state law claims in this action pursuant to 28 U.S.C. §1367(a).

7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2).

FACTUAL ALLEGATIONS

8. Plaintiffs repeats, reiterates and incorporates the allegations contained in paragraphs numbered “1” through “7” herein with the same force and effect as if the same were set forth at length herein.

9. Upon information and belief, Defendant, on behalf of a third-party or itself as purchaser of the debt, began collecting an alleged consumer debt.

10. Upon information and belief, and better known to the Defendant, the Defendant began its collection efforts and campaign of communicating with the Plaintiff by calling the Plaintiff's home phone at 732 963 9597 on or about February 11, 2014 and proceeding to leave a voice message on the Plaintiff's home answering machine.

11. The Defendant's message consisted of the following: “This message is for Aaron Lanido. My name is Marcy Krautman. I would appreciate you calling me back. You can reach me at (877)710-8001. Thanks.”

12. 15 USC §1692e(11) requires collection agencies to disclose in communications with debtors that the communication is from a debt collector, that the debt collector is attempting to collect a debt and that any information obtained will be used for that purpose.

13. The phone number (877)710-8001 belongs to Defendant, which the Plaintiff ascertained by calling that number, and being welcomed by a customer service representative

who thanked him for calling GC Services.

FIRST CAUSE OF ACTION
(Violations of the FDCPA)

14. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered “1” through “13” herein with the same force and effect as if the same were set forth at length herein.

15. Defendant’s debt collection efforts attempted and/or directed towards the Plaintiff violated various provisions of the FDCPA, including but not limited to 15 USC §1692e(11).

16. As a result of Defendant’s violations of the FDCPA, Plaintiff has been damaged and is entitled to damages in accordance with the FDCPA.

DEMAND FOR TRIAL BY JURY

17. Plaintiff, AARON LANIADO, hereby respectfully requests a trial by jury for all claims and issues in its Complaint to which it is or may be entitled to a jury trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, AARON LANIADO demands judgment from the Defendant GC SERVICES LIMITED PARTNERSHIP, as follows:

- A. For actual damages provided and pursuant to 15 USC §1692k(a)(1);
- B. For statutory damages provided and pursuant to 15 USC §1692k(2)(A);
- C. For statutory damages provided and pursuant to 15 USC §1692k(2)(B);
- D. For attorneys’ fees and costs provided and pursuant to 15 USC §1692k(a)(3);
- E. A declaration that the Defendant’s practices violated the FDCPA;
- F. For any such other and further relief, as well as further costs, expenses and

disbursements of this action, as this Court may deem just and proper.

Dated: Brooklyn, New York
March 5, 2014

Respectfully submitted,

By: /s/ Yitzchak Zelman
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